

Sub 3/ 9. (Amended) The processor usable medium of claim 6, further comprising [computer] processor readable [program] code [means] for taking into account the user's work hours and non-work hours when determining that user's available and unavailable times.

3 10. (Amended) The processor usable medium of claim 6, further comprising [computer] processor readable [program] code [means] for assigning values to one or more characteristics and [computer] processor readable [program] code [means] for taking into account the values assigned when determining the user's availability.

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**REMARKS**

The Office Action has been reviewed and, in view of the following comments, reconsideration and allowance of all of the claims pending in the application are respectfully requested.

I. Status of the Claims

Claims 1, 2, 4-7, 13, and 17 have been rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Zhang et al. Claims 3, 8, 14, and 18 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Zhang in view of Sisley et al. Claims 9, 11, 15, and 19 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Zhang in view of Cree et al. Finally, claims 10, 12, 16, and 20 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Zhang in view of Schloss et al.

The specification has been amended to correct an obvious typographical error. Claims 1 and 4-10 have been amended to more clearly recite various features of the present invention. Claims 1-20 are currently pending in this application. No new matter has been added by these amendments.

II. Rejection of Claims 1, 2, 4-7, 13, and 17 under 35 U.S.C. § 102(e)

Claims 1, 2, 4-7, 13, and 17 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by US Patent No. 6,016,478 to Zhang et al (“Zhang”). This rejection is respectfully traversed for the reasons which follow.

Zhang discloses an electronic group scheduling/calendar system. The group scheduling/calendar system provides methods for peer-to-peer group scheduling among users, including those users who only have simple e-mail support (i.e., do not have access to the group scheduling/calendar system itself). Under user control, the system generates a scheduling invitation and sends it to each invitee. The invitees then respond to the scheduling invitation and indicate acceptance, denial, request rescheduling, or the like. The group scheduling system parses the reply messages automatically to extract scheduling information therefrom, with the appropriate information automatically included in the user's group scheduling calendar. *See Zhang*, abstract.

In contrast, the present invention involves an automated system for allowing a user to determine the availability of invitees during a specified time interval based on database profiles including the respective invitees available and unavailable times. The system then allows the user to view the results in any one of at least three viewing option formats. The system taught by Zhang does not include such database(s) storing invitee profiles of available and unavailable times, or a results display which allows the user to view the results in any one of at least three viewing option formats.

In the system taught by Zhang, the above described “group scheduling database” relied on in the Office Action to teach the claimed database means stores information parsed from manually sent, invitee reply messages. The group scheduling database does not store invitee profiles including available and unavailable times for the respective invitees which are then gathered to determine if the respective invitees are available at the requested time, as required by the present independent claims. Rather, the group scheduling database stores information received from the requested invitees in response to a scheduling invitation.

Additionally, Zhang teaches that the availability of the invitees is determined based on parsing information from reply messages indicating the invitee's acceptance or denial of the invitation rather than automatically determining the invitee availability based on information from an invitee profile indicating available and unavailable times for the invitee, as required by the present invention. Claim 23 of the Zhang patent relied upon in the Office Action to teach the method of determining invitee availability clearly discloses such an availability determination based on reply message information.

Further, the display means taught by Zhang relied upon in the Office Action, as illustrated in Fig. 7B of the Zhang patent, shows a list of invitees and the status as to accepted, declined, unanswered, and the like. The results display does not allow the user to select from at least three results viewing options including available, unavailable, and not found, as required by the present independent claims.

As such, Zhang does not teach, or fairly suggest a database storing invitee profiles, the determination of invitee availability based on those profiles, or at least three results viewing options. Thus, this rejection is respectfully traversed and it is submitted that claims 1, 2, 4-7, 13, and 17 are patentable over Zhang.

### III. Rejection of Claims 3, 8, 14, and 18 under 35 U.S.C. § 103(a)

Claims 3, 8, 14, and 18 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Zhang in view of U.S. Patent No. 5,467,268 to Sisley et al. ("Sisley"). This rejection is respectfully traversed and allowance of claims 3, 8, 14, and 18 is respectfully requested.

Sisley discloses a system and method for assigning and scheduling resource requests to resource providers using a modified "best-first" search technique which preferably takes into account estimated travel times. However, Sisley does not cure the deficiencies of Zhang, particularly regarding the viewing options. Accordingly, the present claims are patentable over Zhang in view of Sisley for the same reasons detailed above.

IV. Rejection of Claims 9, 11, 15, and 19 under 35 U.S.C. § 103(a)

Claims 9, 11, 15, and 19 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Zhang in view of US Patent No. 4,866,611 to Cree et al. (“Cree”). This rejection is respectfully traversed and allowance of claims 3, 8, 14, and 18 is respectfully requested.

Cree discloses an electronic calendaring method for use in a data processing system in which calendar entries that have been made for the same time span independently on two different copies of the calendar can be automatically and interactively reconciled. In the preferred embodiment, Cree teaches that the calendar entries for the electronic calendaring system can have predefined categories, including a “Not Normal Work Hours” category. However, Cree does not disclose a calendaring system for scheduling time intervals among a plurality of users. Thus, Cree does not cure the deficiencies of Zhang. Accordingly, it is respectfully submitted that the present claims are patentable over Zhang in view of Cree for the same reasons detailed above.

V. Rejection of Claims 10, 12, 16, and 20 under 35 U.S.C. § 103(a)

Finally, claims 10, 12, 16, and 20 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Zhang in view of US Patent No. 5,692,125 to Schloss et al. (“Schloss”). This rejection is respectfully traversed and allowance of claims 10, 12, 16, and 20 is respectfully requested.

Schloss discloses a system and method that schedules one or more events or event groups subject to certain conditions. The events are checked at a scheduling time to insure that certain fixed conditions associated with the events are satisfied. The events are also checked at one or more times, between scheduling time and a performance time, to determine whether certain dynamic conditions associated with the events are satisfied. If the dynamic conditions are satisfied, the events are confirmed for performance. If one or more of the dynamic conditions are not satisfied, the events are adjusted.

However, Schloss does not disclose a system or method for scheduling a time interval among a plurality of users. Rather, Schloss discloses a system and method for scheduling an event or group of events for a single user based on certain conditions. Schloss does not cure the deficiencies of Zhang. Accordingly, it is respectfully submitted that the present claims are patentable over Zhang in view of Schloss for the same reasons detailed above.

**CONCLUSION**

In view of the foregoing, the application is believed to be in condition for allowance and notification thereof is respectfully requested. Should any outstanding issues remain, the Examiner is invited to telephone the undersigned at (202) 955-1894.

It is believed that no additional fees are required. However, in the event that any additional fees are due in connection with filing this amendment, the Commissioner is hereby authorized to charge all required fees to the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,

HUNTON & WILLIAMS

By: Brian M. Buroker

Brian M. Buroker  
Registration No. 39,125

Hunton & Williams  
1900 K Street, N.W., Suite 1200  
Washington, D.C. 20006-1109  
(202) 955-1500 (Telephone)  
(202) 778-2201 (Facsimile)

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